

Election of Species

Applicant elects Species I as drawn to a process that requires implanting of nitrogen ions prior to patterning of the first insulating film and the first polysilicon layer, for initial examination in the present application. Claims 1, 5, 6 and 11 may be interpreted as readable on Species I. This election is with traverse.

Remarks/Arguments

Claims 1, 2 and 5-14 are pending in the present application.

As noted above, Applicant has elected Species I including claims 1, 5, 6 and 11 for initial examination.

Applicant also respectfully asserts that contrary to the Examiner's assertion in the Election Requirement dated February 7, 2006, claims 9, 10, 13 and 14 are generic. Particularly, claim 9 does not specifically limit the order of forming a first insulating film and a first polysilicon layer; implanting nitrogen ions; and patterning the first insulating film and the first polysilicon layer. This should be especially clear in view of respective dependent claims 11 and 12.

Accordingly, Applicant requests examination of claims 1, 5, 6 and 11 as reading on elected Species I. **Applicant further respectfully requests examination of generic claims 9, 10, 13 and 14, along with claims 1, 5, 6 and 11 of elected Species I.**

Favorable consideration and early allowance of the present application are respectfully requested.

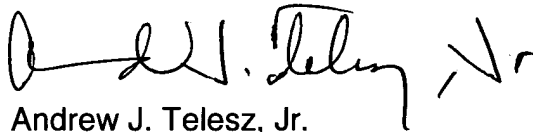
In the event that there are any outstanding matters remaining in the present

application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-0238 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.

A handwritten signature in black ink, appearing to read "A. J. Telesz, Jr.", with a stylized flourish at the end.

Andrew J. Telesz, Jr.
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